

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

ePLUS, INC.

Plaintiff.

v.

SAP AMERICA, INC., et al.

Defendants.

Civil Action Number 3:05CV281-JRS

ORDER

THIS MATTER comes before the Court on Plaintiff ePlus Inc.'s Motion to Compel. Having considered the pleadings and oral arguments of the parties, the Motion to Compel is GRANTED in part and DENIED in part.

1. SAP is required to provide ePlus with access to SAP's online demos of relevant SAP products. SAP shall also provide ePlus attorneys with access to sample supplier catalog data, including catalogs which contain product data from multiple suppliers. SAP will not be required to configure a laptop provided by ePlus.
2. SAP will provide ePlus with access to Service Marketplace. SAP will provide a registered email address and other security information to enable ePlus's attorneys to access content found at SAP Service Marketplace relating to relevant SAP products.
3. ePlus's request for ongoing technical assistance from SAP will be DENIED.
4. SAP shall produce an index to the source code files for each accused product in paper form. Such index shall include the names of each source code file for each component of each accused product, the creation, and last revision date and the file size. ePlus shall designate source code from such indices for which it seeks copies and SAP shall promptly print and

produce such files. ePlus will likewise be required to provide to SAP an index of the source code for their products.

5. Because SAP has already produced considerable product and technical documentation, it is ePlus's responsibility to specifically identify what category of documents it still needs.
6. SAP has apparently produced all RFPs and SOWs to ePlus. Also, ePlus withdrew its Motion to Compel on these issues either partially (RFPs) or completely (SOWs). ePlus's Motion to Compel as it relates to RFPs and SOWs will be DENIED.
7. SAP has produced all relevant and responsive pending patent applications (at least this is SAP's assertion to the Court). If there is something in particular that ePlus requires, it should make a specific request to SAP.
8. SAP will as soon as possible provide copies of financial documents identified in the letter dated September 9, 2005, from J. Albert to C. Stretch.

The Clerk is directed to send a copy of this Order to all parties of record.

It is SO ORDERED.

/s/ JAMES R. SPENCER
UNITED STATES DISTRICT JUDGE

Date: October 24, 2005